



PUJO & ASSOCIATES
ARCHITECTURE AND PLANNING

735 State Street, Suite 207 • Santa Barbara, CA 93101 • (805) 962-3578 • alex@pujo.net
FAX: (805) 965-1371

July 18, 2009

Mayor and Council
City of Santa Barbara
De La Guerra Plaza,
Santa Barbara, California 93101



Re: 436 Corona Del Mar, MST2008-00420
Kahan appeal of Coastal Development Permit approval by SHO

Mayor Blum and Council Members,

On March 11, 2009 Staff Hearing Officer (SHO) Susan Reardon approved our application for a Coastal Development Permit for the construction of a duplex in the non-appealable jurisdiction of the Coastal Zone and a Modification to allow a garage to encroach 3' into the required interior setback. On March 23rd Mr. James Kahan faxed a letter to the Community Development Department appealing this decision to the Planning Commission on behalf of a group named "Friends of Outer State Street". Mr. Kahan stated that these approvals "are not supported by the facts" and that the project's environmental review "does not qualify for a categorical exemption".

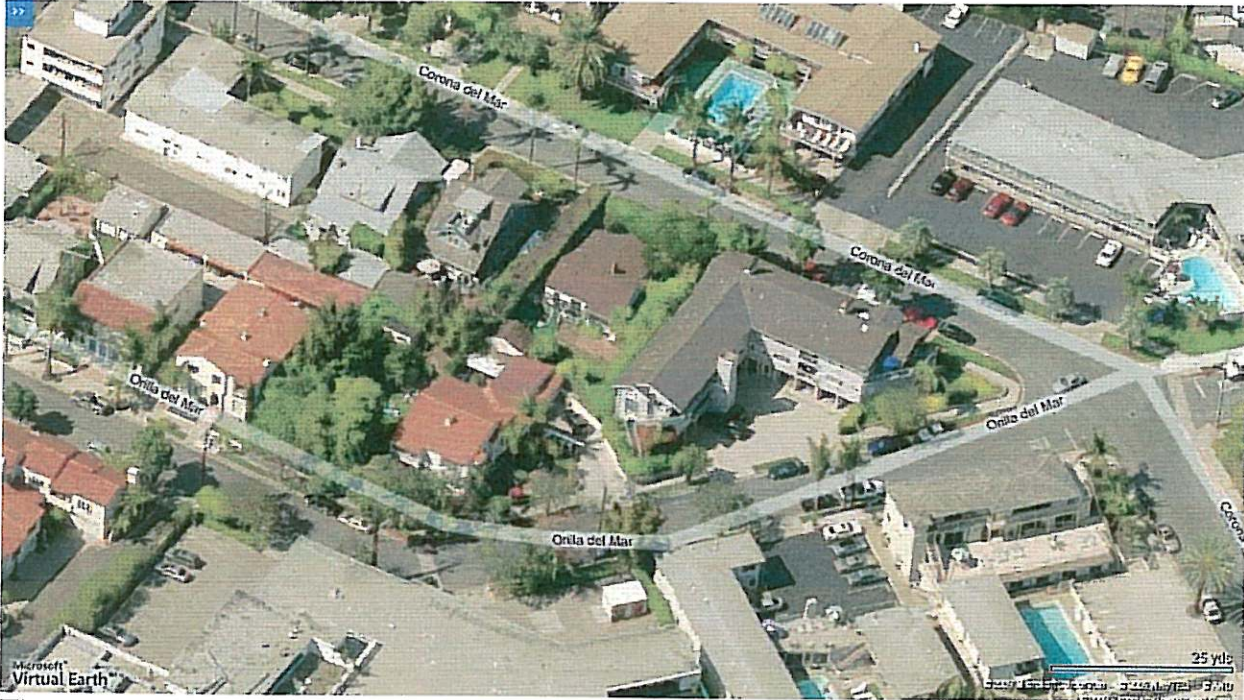
The Planning Commission heard this appeal on May 14th. Due to health problems Mr. Kahan did not attend this hearing and Mr. Fischer presented the case on his behalf. The commission denied the appeal and on May 23rd Mr. Fischer appealed this decision to Council.

My clients and I continue to be baffled by these appeals. This project has no neighborhood opposition that we are aware of. Mr. Kahan or "Friends of Outer State Street" did not attend any Architectural Board of Review (ABR) meetings or the SHO hearing, or expressed any concerns, or attempted to contact us (applicants) prior to faxing his cryptic 'notice of appeal'. We never received Mr. Kahan's promised "written amplification".

Mr. Fischer's appeal letter continues this pattern of vague claims and exaggerations. Mr. Fischer talks about an 'oversized' and 'excessive' project in 'a neighborhood with two story buildings' overlooking the fact that our lot is surrounded by massive developments. The neighborhood map on sheet T-2 clearly shows this context.

These are the facts:

This is an R-4 property of 6,594 sq. ft. located near the end of Corona Del Mar behind the Cabrillo Inn and Marmonte Hotel, a short block from Cabrillo Boulevard. The neighbor to the south is a large apartment building, and to the north and west are duplexes. Across the street are several hotels, including Pacific Crest, Motel 6, and Yacht Club.



The property contains an old, rundown, single-story residence "not historically significant" (as determined by the City Historian) of 1,326 sq. ft. At the rear corner of the lot there is a building that used to be a garage, but it was altered at some time and reduced in size to 224 sq. ft. We propose to remove both structures.

We propose to construct a 3-story, 3,094 sq. ft. duplex with a 330 sq. ft. utility basement. One of the units will have one bedroom and 934 sq. ft.; the second unit will have two bedrooms and 2,156 sq. ft. The required outdoor open yard will be provided in a single, continuous area exceeding the required 15% of the lot (989 sq. ft.). We are also proposing additional open space in the form of covered patios and balconies (583 sq. ft.) and an open deck (166 sq. ft.).

We propose to construct a 2-car garage near the location of the original one. This structure was built against the rear and side property lines. We request a modification to build the new garage with a flat roof (plus a parapet to shield solar collectors) encroaching three feet into the interior yard.

Garages in the rear corner of properties were a historic development pattern in this neighborhood and elsewhere in Santa Barbara. Just about every parcel in this block has a garage, or a series of garages, placed at or very near the rear property line. The proposed garage encroachment is much smaller than the existing encroachment and constitutes an efficient and practical means to accommodate parking in limited space. Our proposal also includes two uncovered parking spaces.

Staff prepared a very detailed report that demonstrates conformance with all plans, policies and regulations in detail, and included specific findings drawn from their analysis. The proposed project conforms to the City's Zoning and Building Ordinances, and policies of the General Plan and Local Coastal Plan. The use, size and massing of the project are consistent with the surrounding neighborhood.

The project meets or exceeds all requirements and setbacks, except for the minor garage encroachment mentioned earlier. This encroachment is justified by existing conditions, neighborhood development patterns and a site design supported by ABR as a superior alternative for this lot in terms of vehicle circulation, pedestrian character and minimization of paved areas. This small encroachment allows automobiles to turn around and exit facing the street with minimal paving.

This project is the result of several re-designs, environmental studies and input from neighbors and ABR. Reports were prepared, reviewed and accepted by staff regarding Archaeology (Phase I), Hydrology and Noise. An analysis of "Permanent Pollution Prevention Measures" was conducted to determine methods for treating storm water. These studies are the bases for the environmental review performed by staff.

The Staff Hearing Officer approved the project with 35 conditions, to which we have agreed.

The basis of the appellant's argument appears to be that setback modifications, regardless of how small, logical or commonplace in the neighborhood, should never be allowed in new construction. After working as an Architect in Santa Barbara for 27 years I find this newer and strictest interpretation of the modification provisions of the zoning ordinance highly disturbing. All lots are not created equal and one size does not always fit all.

Historically, a modicum of latitude has always been allowed, and must continue to be allowed to zoning and review boards in pursuit of the common good. There is a recognized place in the zoning ordinance for common sense in the determination of fairness. Your staff, and your appointed boards and commissions have spent long hours reviewing these issues before endorsing our project.

In closing, we request that you uphold the approvals by SHO on March 4th, PC on May 14th and ABR on June 15th.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Alexander Pujo". The signature is fluid and cursive, with the first name "H. Alexander" and last name "Pujo" clearly distinguishable.

H. Alexander Pujo, Architect

c.: L. Agostino